

September 30, 2022

The Honorable Barry Loudermilk
U.S. House of Representatives
2133 Rayburn House Office Building
Washington, DC 20515

The Honorable Ann Wagner
U.S. House of Representatives
2350 Rayburn House Office Building
Washington, DC 20515

The Honorable Andy Barr
U.S. House of Representatives
2430 Rayburn House Office Building
Washington, DC 20515

The Honorable Roger Williams
U.S. House of Representatives
1708 Longworth House Office Building
Washington, DC 20515

The Honorable Ralph Norman
U.S. House of Representatives
569 Cannon House Office Building
Washington, DC 20515

The Honorable Mike Flood
U.S. House of Representatives
1514 Longworth House Office Building
Washington, DC 20515

The Honorable John Rutherford
U.S. House of Representatives
1711 Longworth House Office Building
Washington, DC 20515

Dear Representatives Loudermilk, Wagner, Barr, Williams, Norman, Flood, and Rutherford:

On behalf of the 1.5 million members of the National Association of REALTORS® (NAR), thank you for introducing the “Respect State Housing Laws Act.” We appreciate your leadership on this issue and your commitment to correcting a drafting error in the CARES Act of 2020 which has caused undue hardship on the rental housing industry and undermines state autonomy in rental housing policy.

The CARES Act, passed at the beginning of the COVID-19 pandemic, included a temporary notice procedure for federally-backed and federally-assisted rental housing, requiring housing providers to provide an additional 30-day notice to vacate before filing for eviction. While the other related provisions in the CARES Act expired in July 2020, this provision remains in place today, despite Congressional intent being that it would expire as well. This technical error in the language of the CARES Act takes away the power of states, localities, and the judicial system to control eviction policies and procedures, and adds confusing ambiguity to the process. Evictions are costly and time-consuming, and for housing providers – especially small, “mom-and-pop landlords” who manage few units – it is a last resort, but it remains an important tool to protect other residents and to ensure that the rent payments agreed to in the lease contract are complied with, ensuring that the housing provider is able to continue to cover their own expenses on the property.

By correcting this error in the CARES Act, the Respect State Housing Laws Act returns the power to the states to set eviction procedures and ensures that housing providers can manage their properties and continue to provide safe, quality affordable housing for their residents and communities. Thank you for your leadership on this issue. We look forward to working with you on passage of this bill.

Sincerely,

A handwritten signature in brown ink that reads "Leslie Rouda Smith". The signature is written in a cursive style with a large initial 'L'.

Leslie Rouda Smith
2022 President, National Association of REALTORS®